

# Privacy Policy

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Trading in CFDs and leveraged products carries a high level of risk. Your losses may exceed your initial investment requiring you to make further payments. These products are not suitable for everyone and you should seek independent advice if you are in any doubt.

GMO-Z.com Trade Limited is incorporated under the laws of Saint Vincent and the Grenadines with Registration Number 24048 IBC 2017 having its registered office at Glenville Drive, Kingstown, Saint Vincent and the Grenadines. The Company is authorized as an International Business Company.

# General Privacy Policy

## **Collection of Data**

We will collect your personal data in order to provide financial services to you. We must collect certain personal information from all applicants to enable us to comply with our regulatory obligations. If you decline to provide certain information to us, we may not be able to continue with your application.

When you apply for a live or demo account we will ask you to provide information about your name, address, date of birth, employment details and other personal circumstances. We will obtain this information via standard application forms.

## **Use of Data**

The data about you that we collect will be used for the following purposes:

- Establishing and maintaining your account,
- Reviewing your ongoing needs,
- Improving our service and products, and
- Providing you with up to date information or news that we believe may be relevant to you.

## **Disclosure of Data**

Depending on the circumstances and the specific data concerned we may disclose your information to:

- Other Group companies who provide financial services
- Outsourcing partners, service providers and specialist advisers who have been specifically contracted to provide us with these services.
- Introducing brokers with whom we have a mutual business relationship
- Regulatory bodies or law enforcement agencies
- Identity checking and reference agencies
- Providing you with up to date information or news that we believe may be relevant to you.

## **Security of Data**

We will keep data either electronically or in hard copy file format. We have developed and will maintain electronic and physical security procedures to safeguard personal data against loss, theft, copying and unauthorised disclosure, use or modification. Access to personal data is restricted to employees and authorised service providers who need it to perform their work. Our staff are trained on their obligations regarding data security.

We must retain your data for specific time periods for regulatory purposes, however we will securely destroy any personal data that we are no longer required to hold at the relevant time.

## **Cookies**

We may use cookies or IP address tracking devices on our website for administration purposes, to store password and usernames, to monitor visits to pages on this and other occasions from your terminal, to personalise our service to you and to track and facilitate browsing through our website. A cookie is a piece of data stored on your hard drive containing information about you relating to the use of the website. IP addresses may be linked to your personal data and by tracking these addresses, we would be obtaining such personal data. Access to the website is conditional on acceptance by you of any cookies and IP address tracking devices described in and for the purposes explained in this clause. By accepting the Agreement, you acknowledge that you understand the broad nature of cookies and IP address tracking devices and the purposes for which they will be used by us. Please refer to our Cookie Policy which can be found on our website for more information.

## **Language of Communications**

All GMO-Z.com Trade Limited legal documents are available in English, and can be found on the English version of our corporate website. Translations into other languages are provided for referential purposes only. For the avoidance of doubt, the English version shall prevail in the event of any inconsistencies or ambiguities.

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# Privacy Policy for Customers in the EU

## **1. Purpose of Processing EU Personal Data Acquired from Customers and Other Subjects Concerned**

GMO-Z.com Trade Limited (hereinafter referred to as "Company", "we", "our" and "us"), as an OTC financial products business processing EU personal data, in accordance with the General Data Protection Regulation (effective on May 25, 2018) prescribed by the European Commission, we shall process customers' EU personal data only within the scope necessary for the intended use that is specified and publicized in advance. However, in the case where it is required by laws and regulations, we may process EU personal data of customers and other subjects beyond the scope necessary for achieving the intended use specified and publicized in advance. Moreover, providing EU personal data is indispensable for fulfilling contractual agreement, and therefore if EU personal data cannot be provided at each customer's own discretion, providing services to such customer may be hindered.

We may use your data for the following purposes:

1. processing the Client's applications for opening accounts, financial accommodation or credit facilities or other services or products;
2. daily administering and operation of the accounts, services and facilities provided to Client;
3. conducting client identification and verification procedures and credit checks at the time of application and from time to time during the continuation of the business relationship between the Client and us whether at special or regular reviews;
4. meeting the disclosure requirements under any law, regulations, guidelines, codes of practice or court orders binding on, or applicable to, us or any of its group companies, including but not limited to disclosure requirements relating to prevention of money laundering and terrorist financing;
5. complying with the obligations, requirements or arrangements for disclosing and using data that apply to us or any of its group companies or that it is expected to comply according to:
  - a) any law binding or applying to it within or outside the Saint Vincent and the Grenadines ("SVG") existing currently and in the future;
  - b) any guidelines, guidance or requests given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers within or outside SVG existing currently and in the future and any international guidance, internal policies or procedures;
  - c) any present or future contractual or other commitment with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers (together the "Authorities" ) that is assumed by or imposed on us or its group company by reason of its financial, commercial, business or other interests or activities in or related to the jurisdiction of the relevant local or foreign legal, regulatory, governmental, tax, law enforcement or other authority, or self-regulatory or industry bodies or associations;
  - d) any agreement or treaty between Authorities;
6. assisting other financial institutions to conduct credit checks and collect debts;
7. designing services and products for the Client's use;
8. your name and contact details may be used for marketing financial or related services and products of us and/or its group companies;
9. ensuring ongoing credit worthiness of the Client;
10. determining amounts owed to or by the Client from time to time;
11. collecting amounts outstanding from the Client and/or other persons providing security for the Client's obligations;
12. provision of reference (status enquiries) relating to the Client;
13. conducting matching procedures by comparing data for producing or verifying data that may be used for or against the Client;
14. enabling an actual or proposed assignee of us or an actual or proposed participant, sub-participant or transferee of our rights in respect of the Client to evaluate the transaction intended to be the subject of the assignment, participation, sub-participation or transfer; and
15. purposes relating to the above.

## **2. Rights of Customers and Other Subjects Concerned**

Each customer or the other subject concerned has the following rights regarding EU personal data about himself or herself.

- (1) Right to access to his or her own EU personal data and other information relating to its personal data.
- (2) Right to rectify inaccuracies of his or her EU personal data without undue delay
- (3) Right to erase his or her EU personal data without undue delay
- (4) Right to restrict processing of his or her EU personal data

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(5) Right to receive EU personal data provided by customer or other concerned subject by himself or herself in a general format that is readable on computers, and rights to transfer (i.e. data portability) the EU personal data to other organizations in order for them to manage without hindering transferring process.

(6) Right to object to public interest; processing for the interests of Company, a third party or both; and processing for direct marketing for EU personal data of customers and other subjects concerned.

(7) Right not to be subjected to assessments conducted or decisions made through automatic processing such as profiling that have serious impact including legal effects on individuals.

Note: We do not perform profiling.

(8) Right to lodge a complaint with a supervisory authority

### 3. **Conditions for Processing of EU personal data**

We may process EU personal data when any one of the following cases is applicable, even if we has not obtained consents from customers and/or others concerned.

(1) When the processing is necessary for the execution of the contract where a customer or other subject concerned himself or herself is the contracting party.

Or when processing is necessary in accordance with request from a customer or other subject concerned at the stage when the contract is not concluded yet.

(2) When the processing is necessary to comply with the legal obligation that we shall abide by; for example, when following information disclosure orders based on laws and regulations from government agencies etc.

(3) When the processing is necessary to protect serious interests of customers, other subjects concerned, or both.

(4) When it is deemed appropriate to investigate, prevent, or take measures against illegal acts or suspicious acts.

(5) When processing is necessary for legitimate interests pursued by a third party and we to the extent that it's not infringed the right and profit, the freedom concerning the privacy

### 4. **International Transfer of EU Personal Data**

EU personal data is transferred to our group companies and outsourcing contractors such as cloud provider , IT service vendor, customer service provider, operation services provider and accounting services provider located in Japan and Hong Kong, countries other than Japan, or both; and may be stored in servers located in those respective country.

Japan and Hong Kong have not been recognized and determined as countries providing adequate data protection by the European Commission, however we manage EU personal data of customers and other subjects concerned appropriately.

### 5. **Safeguards**

In order to appropriately manage EU personal data of customers and other subjects concerned and prevent leakage, loss and damage of those EU personal data, including other safety management approaches, we carry out technical, physical, organizational and human related safeguards.

### 6. **Joint Control**

We jointly control EU personal data customers and other subjects concerned that we hold with our group companies in order to promote activities such as service development and service guidance; and communication with customers and other subjects concerned.

In addition, when we jointly control EU personal data with our group companies, the scope of responsibility relating to the processing of the personal data of customers and other subjects concerned, and the contact point for inquiries shall be clearly defined among us and group companies.

Items of EU personal data that we jointly control are stated as follows:

- Name;
- Address;
- Email address;
- Phone number;
- Contract details;
- All information contained in the Account Application Form
- Cookies
- Any other items necessary in accordance with the purpose of use (\*)

\* For details, please refer to the above section 1, "Purpose of Processing EU Personal Data Acquired from Customers and Other Subjects Concerned".

The joint controllers are the group companies of us that are listed on:

<https://www.gmo.jp/company-profile/groupinfo/>

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<https://trade.z.com/en/about/group.html>

Note: Group companies may be changed in the future due to new establishment, consolidation, abolishment and other reasons.

## 7. Transfer of EU Personal Data

EU personal data belonging to customers and other subjects concerned are transferred to our group companies and outsourcing contractors such as cloud provider and IT service vendor to which we have subcontracted our business operation to the extent necessary for service provision. In addition, we request appropriate processing of the transferred EU personal data to those outsourcing contractors, and manage EU personal data of customers and other subjects concerned appropriately

## 8. Archiving, Deletion, Disposal of EU personal data

Except where otherwise specified by laws and regulations, we define the retention period of EU personal data of customers and other subjects concerned within the scope necessary for the purpose of use. The retention period is 7 years.

After the defined retention period has expired or the purpose of use has been achieved, we erase EU personal data of customers and other subjects concerned without delay

## 9. Group-wide Data Protection Officer and Group-wide Representative for EU Personal Data

<Group-wide Data Protection Officer for EU Personal Data (G-DPO)>

GMO Internet, Inc.,  
Cerulean Tower 4-14F, 26-1 Sakuragaokacho, Shibuya ku, Tokyo, 150-8512, Japan.  
Email address: [dpo@gmo.jp](mailto:dpo@gmo.jp)  
Enquiry form: <https://secure.gmo.jp/en/gdprform/>

<Group-wide Representative for EU Personal Data>

GMO Internet, Inc  
Springfield House  
Sandling Road, Maidstone, Kent  
ME14 2LP, United Kingdom  
E-mail address: [dpo@gmo.jp](mailto:dpo@gmo.jp)  
Enquiry form: <https://secure.gmo.jp/en/gdprform/>

## 10. Claims and Inquiries

For inquiries regarding this privacy policy, please make contact to the following contact point.

<https://trade.z.com/en/get-in-touch/>

## 11. Disclosure and other requests of EU personal data

Requests for Disclosure, correction, addition, deletion, suspension of use, suspension of provision of third party, transferring (data portability) shall be dealt with in the following manner.

Please be aware that we will not accept requests by telephone, fax, email, verbally or by any method other than that laid out below.

Please print out our prescribed form and fill in necessary information.

After filling in, please enclose the necessary documents, and send them to the following address by certified mail.

Address:  
GMO-Z.com Bullion HK Limited (on behalf of GMO-Z.com Trade Limited)  
Suites 1607-8, 16/F, Tower 6, The Gateway, Harbour City,  
Kowloon, Hong Kong  
Attn: GMO-Z.com Trade Limited Privacy Officer

Email: [cs.trade@z.com](mailto:cs.trade@z.com)

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### **Disclosure and Other Requests on EU Personal Data**

With regard to the EU personal data held by your company, I request your response to my request as described in "2. Details of the request " section based on the rights of data subjects defined in Article 15 to 22 of the below mentioned regulation:

“Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)”

Prior to making this request, I as the person requesting information understood the contents of the Privacy Policy stated on company’s website, the Processing Policy of EU Personal Data, and "5.Important Points for Disclosure and Other Requests" on this form of Disclosure and Other Requests on EU Personal Data .

#### **Section 1: Details of the Data Subject**

Name							
Address							
Phone number							
Email address							
Identity verification document (One of these stated in the right column)	<table style="width: 100%;"><tr><td style="width: 33%;"><input type="checkbox"/> National ID card</td><td style="width: 33%;"><input type="checkbox"/> Passport</td></tr><tr><td><input type="checkbox"/> Driver’s license</td><td><input type="checkbox"/> Utility Bill</td></tr><tr><td><input type="checkbox"/> Birth Certificate</td><td><input type="checkbox"/> Other public certificate etc.</td></tr></table>	<input type="checkbox"/> National ID card	<input type="checkbox"/> Passport	<input type="checkbox"/> Driver’s license	<input type="checkbox"/> Utility Bill	<input type="checkbox"/> Birth Certificate	<input type="checkbox"/> Other public certificate etc.
<input type="checkbox"/> National ID card	<input type="checkbox"/> Passport						
<input type="checkbox"/> Driver’s license	<input type="checkbox"/> Utility Bill						
<input type="checkbox"/> Birth Certificate	<input type="checkbox"/> Other public certificate etc.						

The above details will be used for the following purposes;

- In case the request is made by the data subject him or herself, requested data will be disclosed to, or result of the request other than disclosure will be notified to the above.
- In case of correction request, the above will be used as "Corrected Information". In case of addition request, the above will be used as "Information to add".

#### **Section 2: Details of the Request**

Type of Requests (One of these stated in the right column)	<input type="checkbox"/> Disclosure <input type="checkbox"/> Correction <input type="checkbox"/> Addition <input type="checkbox"/> Deletion <input type="checkbox"/> Suspension of use <input type="checkbox"/> Suspension of provision to third party(ies) <input type="checkbox"/> Transfer (in terms of “Data Portability”)		
Name of the third-party(ies)	(In case of requesting suspension of provision to the third party(ies), enter the name of third party(ies) here)		
Transferring Destination (in terms of “Data Portability”)	(In case of requesting to transfer, enter the information of the transferring destination)		
Reason for the request	(Enter as much details as possible)		

#### **Section 3: Details of the personal data to be requested (Please make sure to enter details in this section, even if the information is same to that of the above "1. Details of the person requesting information" section.)**

Types and contents of personal data (Multiple selections are allowed) *Please make sure to specify the details	<input type="checkbox"/> Full Name (or Name) <input type="checkbox"/> Address <input type="checkbox"/> Phone number <input type="checkbox"/> E-mail address <input type="checkbox"/> Others [ _____ ]						
Time and means of registering personal data into subject service, and user ID etc.	<b>Time</b>	(Enter in month, year format)	<b>ID etc.</b>				
	<b>Means</b>	<table style="width: 100%;"><tr><td style="width: 33%;"><input type="checkbox"/> Web</td><td style="width: 33%;"><input type="checkbox"/> Phone</td></tr><tr><td><input type="checkbox"/> Documents (mailing / fax)</td><td><input type="checkbox"/> Others [ _____ ]</td></tr></table>			<input type="checkbox"/> Web	<input type="checkbox"/> Phone	<input type="checkbox"/> Documents (mailing / fax)
<input type="checkbox"/> Web	<input type="checkbox"/> Phone						
<input type="checkbox"/> Documents (mailing / fax)	<input type="checkbox"/> Others [ _____ ]						
Documents to prove (one or more types at own discretion) the current relationship with the data subject requesting information *Unnecessary here when requesting the same personal data as stated in "1. Details of the person requesting information" section							

**Section 4: Details of representative (If the person requesting information appoints representative, please put a tick the appropriate box and describe the information of the representative.)**

I hereby designate the following person as my representative and delegate all negotiations concerning this request and my counterpart for this request.

Name		
Address		
Phone number		
Email address		
<b>Proof of Identity for representative</b> A: Required in case of Lawyer B: One of these stated in the right column in case representative is not a lawyer	A	<input type="checkbox"/> (In case of lawyer) Proof of Identity such as CCBE card
	B	<input type="checkbox"/> National ID card <input type="checkbox"/> Passport <input type="checkbox"/> Photo Driving License <input type="checkbox"/> Utility Bill <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Other Proof of Identity

Please fill in the above details in the case of claim by the representative. (Description is unnecessary if the representative is not applicable.)

Requested data will be disclosed to, or result of the request other than disclosure will be notified to the above.

**Section 5: Important Points for Disclosure and Other Requests.**

- Please specify the subject service to be requested accurately. If there is a mistake in specifying the subject service, even if we, GMO Internet, Inc., have personal data at our service other than those specified, please acknowledge it beforehand because we may answer that the applicable personal data does not exist by the circumstances of our survey within our company.
- Regarding requesting for multiple services, please send one request form for each subject service. However, only one set of proof of identities is required for each person concerned.
- When sending this request form for disclosure and other requests, please make sure to enclose a photocopy of the Proof of Identity selected in 1, 3, 4, and send it to our designated address by recorded postal mail that allows us to check the delivery record of the third party involved.
- In case of using delivery method other than the above, we will not be responsible for any accidents such as lost in the mails before arriving at our company by any chance.
- For documents with expiration date, please send us a photocopy within the validity period at the time of the request, and for documents without expiration date, send us a photocopy made within one month time since the date of requesting.
- If there are incompleteness in proof of identity, we may ask for re-submission.
- Regarding the implementation of the measures concerning this request, in principle we will respond to you for free of charge. However, please acknowledge it beforehand that we may charge a non-excessive fee, taking into account the administrative expenses and other administrative expenses incurred in response depending on the content of the request. The fee shall be determined by our company according to individual request details, we shall notify the data subject or representative without delay.
- When the content of the request is obviously unfounded or excessive, especially if it is due to the nature of repetitive, we may not be able to deal with it. In that case, we shall notify the requesting data subject or the representative without delay as to why we cannot respond and it is possible to appeal to supervisory authorities to request legal remedy.
- Upon this request, the newly acquired personal data we received shall be handled only to the extent necessary for the implementation of the measures pertaining to this request and will not be returned. Documents, including photocopies, supplied will be kept for six months after the implementation of the measures pertaining to this request and, once the six months have passed, they will be disposed.

Date: \_\_\_\_\_

Signature of the Data Subject stated in Section 1 above: \_\_\_\_\_